

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DONO BARKSDALE, : Case No. 3:09-CV-273

Plaintiff, : District Judge Walter H. Rice
- vs - : Magistrate Judge Michael J. Newman

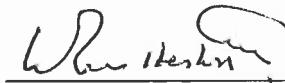
LONDON CORRECTIONAL
INSTITUTION, WARDEN :
Defendant. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael J. Newman (Doc. #9), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, and for good cause shown upon the Court's *de novo* review, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 is DENIED with prejudice. Defendant is also DENIED a certificate of appealability. This Court further certifies to the Court of Appeals that any appeal would be objectively frivolous.

November 4, 2011.



Walter H. Rice
United States District Judge